

ORDINANCE 1546

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, APPEALING AND MODIFYING A NORTH BEND LANDMARKS COMMISSION DECISION, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, pursuant to North Bend Municipal Code (“NBMC”) 19.20.020 the King County Landmarks and Heritage Commission established pursuant to King County Code (“KCC”) Chapter 20.62 (the “Commission”) was designated to act as the North Bend Landmarks Commission for the City; and

WHEREAS, the City adopted by reference into the NBMC sections of KCC Chapter 20.62 regulating the protection of landmarks, landmark sites and districts; and

WHEREAS, Si View Fieldhouse (aka Community Center) at Si View Metropolitan Park is designated as a Landmark Building and therefore is subject to the Historic Preservation Program pursuant to NBMC Chapter 19.20. and KCC Chapter 20.62; and

WHEREAS, the King County Landmark Commission approved Certificate of Appropriateness #14.10, hereby attached as Exhibit A, for Si View Metropolitan Park District’s (the “District”) interior space reconfiguration and replacement of certain interior elements in the Fieldhouse on September 25, 2014; and

WHEREAS, on November 3, 2014 the Executive Director of the District filed with the City of North Bend a notice of appeal under NBMC 19.20.030/KCC 20.62.110, hereby attached as Exhibit B; and

WHEREAS, the appeal filed objects to the provision in the Certificate of Appropriateness that requires the District to retain salvageable flooring from the gymnasium floors, which are being replaced with third grade maple, and use them in the classroom wing and lobby of the Fieldhouse; and

WHEREAS, the District is appealing the requirement to reuse the salvaged gymnasium floors in the classroom wing and lobby of the Fieldhouse and instead has proposed to use third grade maple floors in the classroom wing and slate in the lobby of the Fieldhouse; and

WHEREAS, the District stated the reason for this appeal is due to the fact the lifespan of the gymnasium floors has been fully maximized; a durable, program appropriate material will be created by replacing the classroom wing with third grade maple and the lobby

with slate; and, the District's proposed materials will increase the lifespan of the building, allow for appropriate programing, and be consistent with the significant historical features of the building;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council finds that pursuant to NBMC 19.20.030/KCC 20.62.110B.2 the Commission's Findings, Decision and Certificate were based on an error in judgment or conclusion in regard to the reuse and replacement of the existing flooring and are hereby modified as follows:

City of North Bend Landmarks Commission Findings of Fact and Decision:

15. Existing flooring will be retained where possible and refinished. Where new flooring is needed due to extreme wear, it will be replaced in kind, except as provided herein. Ceramic tile or linoleum will be used in the kitchen and restrooms to allow for adequate cleaning and mopping of these spaces. Slate will be used in the lobby to allow for increased use of the building while continuing to highlight significant historical features.

Certificate of Appropriateness #14.10, Type II:

- Replace gymnasium flooring with third grade maple; retain salvageable flooring where possible to be repurposed in an application form to be determined by the applicant.
- Replace lobby flooring with slate to allow for increased use of the building.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of

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the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF DECEMBER, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: December 10, 2014
Effective: December 15, 2014

Susie Oppedal, City Clerk